

not otherwise appropriated, at such rates and upon such terms and conditions as he may deem most advantageous to the public interest; any provision of law relating to the maintenance of parity, or limiting the purposes for which any of such obligations, coin, or currency, may be issued, or requiring any such obligations to be offered as a popular loan or on a competitive basis, or to be offered or issued at not less than par, to the contrary notwithstanding. All gold so purchased shall be included as an asset of the general fund of the Treasury."

SEC. 11. The Secretary of the Treasury is hereby authorized to issue, with the approval of the President, such rules and regulations as the Secretary may deem necessary or proper to carry out the purposes of this Act. [U. S. C., Title 31, Sec. 822b.]

The Provisional Regulations issued under the Gold Reserve Act by the Secretary of the Treasury and approved by the President January 31, 1934, provide, in part, as follows:

SEC. 2. Art. I. *Scope*.—Articles 2, 3, 4, and 5 of these regulations refer particularly to section 3 of the act; and articles 6 and 7 refer particularly to sections 8 and 9, respectively, thereof.

* * * * *

SEC. 5, Art. I. *General provisions affecting applications, affidavits, and reports*.—Every application, affidavit, and report required to be made hereunder shall be made upon the appropriate form prescribed by the Secretary of the Treasury * * *.

SEC. 35, Art. VI (entitled "Purchase of Gold by Mints"). The mints, subject to the conditions specified in these regulations, and

the general regulations governing the mints, are authorized to purchase:

(a) Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof, and which shall not have entered into monetary or industrial use;

* * * * *

SEC. 38, Art. VI. *Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof.*—

(1) The mints shall not purchase any gold under clause (a) of section 35 unless the deposit of such gold is accompanied by a properly executed affidavit as follows:

“An affidavit on form TG-19 shall be filed with each delivery of gold by persons who have recovered such gold by mining or panning in the United States or any place subject to the jurisdiction thereof:”

* * * * *

Judicial Code, Section 42 (U. S. C., Title 28, Sec. 103), provides:

When any offense against the United States is begun in one judicial district and completed in another, it shall be deemed to have been committed in either, and may be dealt with, inquired of, tried, determined, and punished in either district, in the same manner as if it had been actually and wholly committed therein.

Judicial Code, Section 53 (U. S. C., Title 28, Sec. 114), provides, in part:

* * * All prosecutions for crimes or offenses shall be had within the division of such districts where the same were committed, unless the court, or the judge thereof, upon the application of the defend-

ant, shall order the cause to be transferred for prosecution to another division of the district.

The Act of March 16, 1878, c. 37, 20 Stat. 30 (U. S. C., Title 28, Sec. 632), provides:

In the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offenses, and misdemeanors, in the United States courts, Territorial courts, and courts martial, and courts of inquiry, in any State or Territory, including the District of Columbia, the person so charged shall, at his own request but not otherwise, be a competent witness. And his failure to make such request shall not create any presumption against him.

